

## REMARKS

Applicants appreciate the thoroughness with which the Examiner has examined the above-identified application. Reconsideration is requested in view of the amendments above and the remarks below.

### Claim objections

The Examiner has objected to claim 1 because of certain informalities. The Examiner states that the phrase "said at least one blade may be replaced individually as needed to maintain a sharp cutting edge" is awkward, insomuch as the phrase does not require a single blade to be replaceable from a group of blades. Applicants concur. Claim 1 has been reworded to correct the phrasing.

### Rejection under 35 U.S.C. § 102

Claim 1 is rejected under 35 U.S.C. § 102(b) as being anticipated by Peterson (U.S. Patent No. 2,604,132). Applicants respectfully disagree.

Applicants submit that the amendment to claim 1, which more clearly identifies the removal of single blades for individual replacement, overcomes Peterson as § 102(b) prior art. Insomuch as the Examiner had relied on Peterson to show that "[a]t least one blade (35) is retained on the upper cutter portion and is replaceable as the entire blade retaining plate is removable," claim 1, as amended, now overcomes this prior interpretation.

Moreover, as previously discussed by the applicants, the setscrews of Peterson do not contact the blades. Peterson teaches the compression of a block structure ("blocks 33 tightly held together") to hold the knife blades in place. "It will be understood that the clamping block structures are spaced from the frame ends only sufficiently to permit placing the knives under some tension." Peterson, col. 3, ll.18-21. The Peterson block structure secures multiple knife blades, and the setscrews compress the block structure. The knife blades are never in

contact with the setscrews. In this manner, Peterson teaches away from having setscrews in contact with the blades.

For these reasons, Peterson cannot anticipate the present invention.

**Rejection under 35 U.S.C. § 103**

Claims 1 and 10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gifford, et al. (U.S. Patent No. 6,546,833) in view of Milich (U.S. Patent No. 6,003,421), in further view of Scott (U.S. Patent No. 3,720,125), and further in view of Raney, et al. (U.S. Patent No. 6,871,571). Applicants respectfully traverse this rejection.

As previously stated by applicants, Gifford teaches a die cutting press for precision cutting of individual part-defining areas from longitudinal and laterally arranged rows of part areas of a relatively thin substrate. Gifford uses an H-shaped wooded member 78 for receiving a metal rule die 80 as its cutting tool. Gifford, col. 6, ll.28-32. Gifford's H-shaped wooded member holds a metal rule die cutting piece in its entirety. There is no provision in the Gifford design for holding portions of the metal rule die in the H-shaped wooded member, or more importantly, for removing *portions* of the metal rule die while other portions of the metal rule die remain in the H-shaped wooded member.

The Examiner states that "there is no reason why the blade retaining plate of Gifford could not hold multiple blades as dies come in many shapes and configurations ... ." February 19, 2008 Office Action, p.7. Applicants note that the metal rule die of Gifford is envisioned to be a single piece, i.e., formed from a die. Applicants concur that although it may be possible to form more than one metal rule die blade and insert each blade within the H-shaped wooded blade retainer, Gifford does not teach or disclose this, and relies instead on a single metal rule die fabrication. There is no provision for removing individual metal rule die blades from the Gifford blade retaining wood piece.

Gifford also does not teach a stripper member. There is no structure on the Gifford apparatus to accommodate a stripper, and such a device would require redesign of the Gifford lower portion in order to work properly with the Gifford apparatus. As applicants previously stated, Gifford's design works on a conveyor belt type of delivery system. A stripper would have the cuttings fall on the delivery structure or even less advantageously, the substrate pieces themselves, which would inhibit the production flow.

The Examiner states "a stripper would prevent the work piece from traveling with the cutter on the cutter's return stroke, thereby eliminating the need for a user to remove the work piece from the cutter manually." February 19, 2008 Office Action, p.4. First, applicants note that for the type of cutting that Gifford is teaching, there is no need to consider having the work piece removed from the cutter by a stripper. The work piece is a thin, hard substrate material. Second, having a stripper introduced in the Gifford design would not solve the problem of having the work piece, or segments thereof, fall on the conveyor.

Claim 1 provides that the stripper aids in keeping the material in place when at least one blade is extracted. There is no need for this in the Gifford design since the cutter in Gifford is made to cut between rows of parts in a conveyor apparatus. Gifford, col. 5, ll.22-25. As each row is cut, it falls to the conveyor.

Applicants submit that the combination of Gifford with a stripper design is not a combination that Gifford can readily accommodate, nor does Gifford have the mechanical structure to allow for the accommodation. Consequently, such a combination cannot render the instant invention obvious.

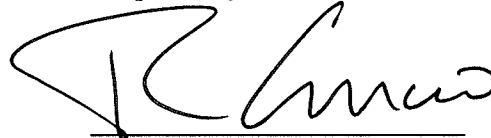
With regard to claims 2-6, applicants submit that the combination of Gifford with the other cited prior art will not overcome the limitations of claim 1 for the reasons given above, insomuch as Gifford does not teach setscrews, or a stripper, and the combination of these

with Gifford would not be obvious in light of the significant redesign necessary to the Gifford apparatus to accommodate these features.

Applicants are not conceding in this application that the claims as they stood prior to amendment are not patentable over the art cited by the Examiner, as the present claim amendments and cancellations are only for facilitating expeditious prosecution and allowance of the claims. Applicants respectfully reserve the right to pursue these prior and other claims in one or more continuation and/or divisional patent applications.

It is respectfully submitted that the application has now been brought into a condition where allowance of the entire case is proper. Reconsideration and issuance of a notice of allowance are respectfully solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. Curcio', written over a horizontal line.

Robert Curcio  
Reg. No. 44,638

**DeLIO & PETERSON, LLC**  
121 Whitney Avenue  
New Haven, CT 06510-1241  
(203) 787-0595